

REMARKS/ARGUMENTS

The Office Action mailed September 17, 2004, and the references cited therein have been carefully reviewed.

As a result of the Office Action, claims 5, 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosenberg in view of Ito, Yamana, and further in view of the admitted prior art. Moreover, claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rosenberg in view of Ito, Yamana, the admitted prior art, and further in view of Amano. And claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rosenberg in view of Ito, Yamana, the admitted prior art, and further in view of Fujimura. These references have been carefully reviewed but are not believed to show or suggest Applicant's claimed invention in any manner. Reconsideration and allowance of the pending claims and examination and allowance of the newly added claim is therefore respectfully requested in view of the following remarks.

Claim 8 has been amended to correct a minor typographical error. No new matter has been added.

Moreover, claim 8 recites a substrate having a rectangular shape in plan view comprising a longitudinal X-direction, and a lateral Y-direction, a plurality of infrared rays emitting elements mounted on the substrate and arranged in the X-direction, and an infrared rays receiving element mounted on the substrate at a position in the X-direction.

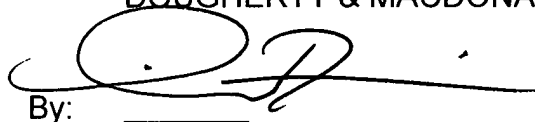
Since the infrared rays emitting elements and the infrared rays receiving element are arranged in the X-direction of the substrate, there is no useless space

in the substrate. Consequently, the device can be made into a small plane size. None of the cited prior art references teaches or suggests these limitations and features, and their arrangement. Therefore, it is respectfully requested that Section 103 obviousness rejections be withdrawn.

Claims 2, 3, 5, and 6 are dependent from claim 8 and are therefore allowable for the same reasons as claim 8.

Each issue raised in the Office Action dated September 17, 2004, has been addressed and it is believed that claims 2, 3, 5, 6, and 8 are in condition for allowance. Wherefore, reconsideration and allowance of these claims is earnestly solicited.

Respectfully submitted,
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A handwritten signature in black ink, appearing to be 'Amir H. Behnia', written over a horizontal line.

By: _____
Amir H. Behnia
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